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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 DAVID P. TARINO,

12 Plaintiff,

13 vs.

14 LOS ANGELES AIRPORT MARRIOTT  
HOTEL,

15 Defendant.  
16

CASE NO. 08CV759 JLS (NLS)

**ORDER TRANSFERRING CASE  
SUA SPONTE TO CENTRAL  
DISTRICT OF CALIFORNIA**

17 The Court has authority to raise the issue of improper venue sua sponte. Costlow v. Weeks,  
18 790 F.2d 1486, 1488 (9th Cir. 1986); Engel v. CBS, Inc., 886 F. Supp. 728, 729 (C.D. Cal. 1995). On  
19 May 6, 2008, the Court issued an Order to show cause why this action ought not be transferred to the  
20 Central District of California. (Doc. No. 16.) The Court observed that all of the known facts giving  
21 rise to the litigation took place in Los Angeles County, within the jurisdiction of the Central District.  
22 None of those facts took place in the counties within the Southern District's jurisdiction. Defendant  
23 has stated in writing that it does not oppose transfer. (Doc. No. 17.) Plaintiff declined the Court's  
24 invitation to respond to the Order to show cause, which the Court construes as a statement of non-  
25 opposition.

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1 Finding that the Southern District is an improper forum for this action, the Court hereby  
2 **TRANSFERS** this action sua sponte to the Central District of California.

3 IT IS SO ORDERED.

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5 DATED: June 5, 2008

6   
7 Honorable Janis L. Sammartino  
8 United States District Judge  
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